

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

STEPHEN C. HOFFMEYER, et al., )  
Plaintiffs, )  
v. )  
SERGEANT MICHAEL PORTER, et al., )  
Defendants. )  
No. 4:11-CV-898-JAR

## **MEMORANDUM AND ORDER**

In accordance with the rulings announced on the record on March 12, 2013,

**IT IS HEREBY ORDERED** that Plaintiffs' motion for directed verdict is **DENIED**.

**IT IS FURTHER ORDERED** that based on the significant factual disputes developed at trial, the Court's November 19, 2012 Order granting partial summary judgment in favor of Plaintiffs on the issue of liability (Doc. No. 27) is **VACATED** and set aside.

**IT IS FURTHER ORDERED** that Defendants' oral motion regarding qualified immunity is **DENIED**.

Dated this 13th day of March, 2013.

John A. Ross  
JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE